

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Steve Lavin, on February 18, 2015 at 3:00 PM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Steve Lavin, Chair (R)
Rep. Christy Clark, Vice Chair (R)
Rep. Nancy Wilson, Vice Chair (D)
Rep. Rob Cook (R)
Rep. Willis Curdy (D)
Rep. Clayton Fiscus (R)
Rep. Frank Garner (R)
Rep. George G. Kipp III (D)
Rep. Margaret (Margie) MacDonald (D)
Rep. Wendy McKamey (R)
Rep. Mike Miller (R)
Rep. Lee Randall (R)
Rep. Kathy Swanson (D)

Members Excused: Rep. Bridget Smith (D)

Members Absent: None

Staff Present: Kendra Balian, Committee Secretary
Dave Bohyer, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 491, 2/17/2015; HB 480, 2/16/2015; HB 534, 2/16/2015

00:00:01 Chair Lavin

HEARING ON HB 480

Opening Statement by Sponsor:

00:01:01 Rep. Mike Miller (R), HD 80, opened the hearing on HB 480, Increase the maximum speed limits, including trucks.

[EXHIBIT\(trh37a01\)](#)

[EXHIBIT\(trh37a02\)](#)

00:09:36 Rep. Randall left

Proponents' Testimony:

00:10:11 Nicole Rolf, Montana Farm Bureau Federation

00:13:02 Bob Morrow, self

00:17:32 Dave Wood, self

Opponents' Testimony:

00:20:15 Barry "Spook" Stang, Executive Vice President, Motor Carriers of Montana (MCM)

[EXHIBIT\(trh37a03\)](#)

[EXHIBIT\(trh37a04\)](#)

00:28:08 Ray Kuntz, Watkins and Shepard Trucking Company, and American Trucking and Insurance Company

[EXHIBIT\(trh37a05\)](#)

00:35:20 Bob Gilbert, Montana Tow Truck Association

00:40:16 Anna O'Donnell, AAA Mountain West

00:43:39 Jason Hildenstab, Montana Highway Patrol (MHP)

Informational Testimony:

00:47:17 Dwane Kailey, Montana Department of Transportation (DOT)

Questions from Committee Members and Responses:

00:47:44 Rep. McKamey

00:48:11 Ray Kuntz, Watkins Shepard, American Trucking and Insurance Co.

00:48:11 Rep. McKamey

00:48:20 Ray Kuntz, Watkins Shepard, American Trucking and Insurance Co.

00:48:43 Rep. Garner

00:49:24 Rep. Miller

00:49:51 Rep. Garner

00:50:01 Rep. Miller

00:50:55 Rep. Fiscus

00:51:14 Ray Kuntz, Watkins Shepard, American Trucking and Insurance Co.

00:52:04 Rep. Fiscus

00:52:13 Ray Kuntz, Watkins Shepard, American Trucking and Insurance Co.

00:52:29 Rep. Fiscus

00:52:41 Ray Kuntz, Watkins Shepard, American Trucking and Insurance Co.

00:52:47 Rep. Fiscus
 00:53:35 Dwane Kailey, DOT
 00:54:09 Rep. Fiscus
 00:54:33 Dwane Kailey, DOT
 00:54:46 Chair Lavin
 00:54:58 Dwane Kailey, DOT
 00:55:04 Chair Lavin
 00:55:17 Dwane Kailey, DOT
 00:56:16 Chair Lavin
 00:56:21 Rep. Curdy
 00:57:03 Jason Hildenstab, MHP
 00:57:37 Rep. Curdy
 00:57:46 Jason Hildenstab, MHP
 00:58:08 Chair Lavin
 00:58:17 Rep. McKamey
 00:59:05 Jason Hildenstab, MHP
 00:59:24 Rep. Wilson
 01:00:17 Jason Hildenstab, MHP
 01:00:27 Rep. Wilson
 01:00:59 Jason Hildenstab, MHP
 01:01:28 Chair Lavin
 01:02:39 Dave Wood, self
 01:03:51 Rep. McKamey
 01:04:23 Rep. Miller

Closing by Sponsor:

01:05:19 Rep. Miller

HEARING ON HB 534

Opening Statement by Sponsor:

01:06:27 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 534, Allow county commission to regulate compression brake usage.

Proponents' Testimony:

01:08:40 Bob Mullen, Montana Association of Counties (MACo)
 01:13:35 Shantil Siaperas, Montana Association of Counties (MACo)

[EXHIBIT\(trh37a06\)](#)

Opponents' Testimony:

01:15:10 Barry "Spook" Stang, Motor Carriers of Montana (MCM)
 01:19:19 Brian Lorengo, Montana Logging Association
 01:20:32 Bill Farrell, Bill Farrell LLC

Informational Testimony: None

Questions from Committee Members and Responses:

01:23:31 Chair Lavin
 01:23:56 Barry "Spook" Stang, MCM

01:24:17 Chair Lavin
01:24:28 Barry "Spook" Stang, MCM
01:24:38 Chair Lavin
01:24:41 Duane Williams, Montana Department of Transportation

Closing by Sponsor:

01:25:34 Rep. Wagoner

HEARING ON HB 491

Opening Statement by Sponsor:

01:26:57 Rep. Steve Lavin (R), HD 8, opened the hearing on HB 491, Generally revise the 24/7 sobriety program laws.
Note: Rep. Clark assumed the role of Chair

Proponents' Testimony:

01:31:23 Colonel Tom Butler, Montana Highway Patrol, (MHP)
01:34:39 Jessie Luther, Association of Montana Troopers
01:36:15 Jerry Williams, Montana Police Protective Association
01:36:49 Jane Hamman, Montana Traffic Education Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:37:33 Rep. Cook
01:38:08 Rep. Lavin
01:38:54 Col. Tom Butler, MHP
01:39:47 Rep. Cook
01:40:25 Col. Tom Butler, MHP
01:40:48 Rep. Cook
01:40:54 Col. Tom Butler, MHP
01:41:14 Rep. MacDonald
01:41:39 Rep. Lavin
01:41:42 Rep. MacDonald
01:42:09 Rep. Lavin
01:42:31 Rep. McKamey
01:42:53 Col. Tom Butler, MHP
01:43:26 Rep. Miller
01:43:47 Col. Tom Butler, MHP
01:44:40 Rep. Garner
01:45:26 Col. Tom Butler, MHP
01:46:42 Rep. Fiscus
01:47:31 Rep. Lavin

Closing by Sponsor:

01:48:22 Rep. Lavin

01:49:03 Chair Clark
01:49:11 Rep. Lavin re-assumed the role of Chair

01:49:29 Recess
01:58:42 Reconvened

EXECUTIVE ACTION ON SB 110

01:58:50 **Motion:** Rep. Clark moved that **SB 110 BE CONCURRED IN.**

Discussion:

01:59:21 Rep. Fiscus
01:59:25 Chair Lavin

01:59:35 **Vote:** Motion carried unanimously by voice vote. Rep. Randall and Rep. Smith voted by proxy. Rep. Garner will carry the bill.

EXECUTIVE ACTION ON HB 428

02:00:09 **Motion:** Rep. Clark moved that **HB 428 DO PASS.**

02:00:17 **Motion/Vote:** Rep. MacDonald moved that **HB 428 BE TABLED.** Motion carried unanimously by voice vote. Rep. Randall and Rep. Smith voted by proxy.

02:02:05 Chair Lavin

EXECUTIVE ACTION ON HB 467

02:02:33 **Motion:** Rep. Clark moved that **HB 467 DO PASS.**

Discussion:

02:02:56 Rep. Miller
02:03:01 Rep. McKamey
02:03:19 Rep. Wilson

02:04:02 **Vote:** Motion failed 7-7 by roll call vote with Rep. Clark, Rep. Fiscus, Rep. Garner, Rep. Lavin, Rep. McKamey, Rep. Miller and Rep. Randall voting aye. Rep. Randall and Rep. Smith voted by proxy.

02:05:05 **Motion/Vote:** Rep. Clark moved that **HB 467 BE TABLED.** Motion carried 12-0 by voice vote.

EXECUTIVE ACTION ON HB 473

02:05:14 **Motion:** Rep. Clark moved that **HB 473 DO PASS.**

Discussion:

02:05:44 Chair Lavin
02:05:48 Rep. McKamey
02:06:42 Rep. Miller

02:06:54 **Motion/Vote:** Rep. Clark moved that **HB 473 BE TABLED**. Motion carried 12-1 by voice vote with Rep. MacDonald voting no. Rep. Randall voted by proxy.

EXECUTIVE ACTION ON HJ 16

02:07:18 **Motion:** Rep. Clark moved that **HJ 16 DO PASS**.

Discussion:

02:07:29 Rep. MacDonald
02:08:00 Rep. Fiscus
02:08:27 Rep. MacDonald
02:08:31 Chair Lavin
02:08:37 Rep. Wilson
02:08:55 Rep. MacDonald
02:09:12 Chair Lavin
02:09:20 Rep. Miller
02:09:37 Rep. MacDonald

02:10:14 **Vote:** Motion carried 13-1 by voice vote with Rep. Miller voting no. Rep. Randall and Rep. Smith voted by proxy.

02:10:34 Rep. Clark
02:10:42 Chair Lavin
02:10:59 Rep. Cook
02:11:14 Chair Lavin
02:12:12 Rep. Curdy
02:12:20 Dave Bohyer, Legislative Services Division (LSD)
02:12:47 Chair Lavin
02:12:54 Dave Bohyer, LSD
02:13:07 Rep. Cook
02:13:24 Chair Lavin
02:13:27 Rep. Cook
02:13:40 Chair Lavin
02:13:57 Dave Bohyer, LSD
02:14:31 Chair Lavin
02:14:56 Rep. Curdy
02:15:53 Rep. Fiscus
02:16:16 Rep. Kipp
02:16:52 Rep. Wilson
02:17:24 Rep. Garner
02:18:03 Chair Lavin
02:18:08 Rep. Miller
02:18:35 Rep. McKamey
02:18:51 Rep. MacDonald
02:19:55 Chair Lavin

02:20:17	Dave Bohyer, LSD
02:20:32	Chair Lavin
02:20:53	Rep. Curdy
02:20:56	Dave Bohyer, LSD
02:21:02	Chair Lavin

ADJOURNMENT

Adjournment: 02:23:11

Kendra Balian, Secretary

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Additional Documents:

EXHIBIT([trh37aad.pdf](#))